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STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, Dan Peterson, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the premises described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

1. **GPS, WiFi or Bluetooth, and/or cell tower sourced location history data generated from devices that reported a location within the geographical region bounded by the following latitudinal and longitudinal coordinates, dates, and times listed below.**
2. **For each location point recorded within the Initial Search Parameters, Google shall produce anonymized information specifying the corresponding unique device ID, timestamp, coordinates, display radius, and data source, if available (the "Anonymized List").**

Date & Time Period of Target Location #1:10/06/2018 1800hrs - 10/07/2018 0030 hrs

Target Location #1:

Geographical area identified as a polygon defined by the following latitude/longitude coordinates and connected by straight lines:

Point 1: 44°52'39.68" N 93°27'18.11" W

Point 2: 44°52'39.71" N 93°26'48.04" W

Point 3: 44°52'20.93" N 93°26'48.67" W

Point 4: 44°52'20.78" N 93°27'17.69" W

Date & Time Period of Target Location #2:10/06/2018 1200rs - 10/07/2018 2130 hrs

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Target Location #2:

Geographical area identified as a polygon defined by the following latitude/longitude coordinates and connected by straight lines:

Point 1: 44°57'15.58" N 93°16'46.97" W

Point 2: 44°57'15.58" N 93°16'37.63" W

Point 3: 44°57'08.85" N 93°16'37.57" W

Point 4: 44°57'08.86" N 93°16'47.19" W

Date & Time Period of Target Location #3:10/06/2018 1200rs - 10/07/2018 2130 hrs

Geographical area identified as a polygon defined by the following latitude/longitude coordinates and connected by straight lines:

Point 1: 44°57'24.34" N 93°07'45.72" W

Point 2: 44°57'24.24" N 93°07'30.94" W

Point 3: 44°57'14.73" N 93°07'30.91" W

Point 4: 44°57'14.85" N 93°07'45.69" W

is or are at the premises described as:

Google LLC, which is headquartered at 1600 Google Amphitheatre Parkway, Mountain View, California.

located in city or township of Eden Prairie, County of Hennepin, State of Minnesota.

I apply for a search warrant on the following grounds:

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

Your affiant, Daniel Peterson, is a licensed Police Officer for the Eden Prairie Police Department and is currently assigned to the Criminal Investigations Division. Your affiant has been a licensed officer since 2007 and is responsible for investigating criminal offenses that occur in the city of Eden Prairie, Hennepin County. Your affiant has also received additional

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training in digital forensics, cellular phone analysis and cellular technology. In this capacity, your affiant believes the following to be true and correct.

Your affiant is assisting in a criminal investigation into murder that occurred at [REDACTED] [REDACTED] in Eden Prairie. The residence was a two story, single family residence with a walkout basement.

On 10-06-18 at 2241 hours, the Eden Prairie Police Department was contacted by the homeowner (N.O.) indicating that two unidentified males had entered the house and committed a robbery. The males were reported to have been "African" and both wearing black clothing, black mask which revealed only their eyes and also wore gloves. (N.O.) described that at least one of the males as having a handgun and pointing at her husband (O.O.) and demanding money.

Your affiant has discussed the case with other officers and learned that the (N.O.) and her husband (O.O.) were home at the time of the robbery. (O.O.) was reportedly in the basement watching television while (N.O.) was watching television on the main level. (N.O.) heard a loud noise in the basement and went to the stairs to check on her husband. She observed the two suspect that were unknown to her. One of the suspects was standing behind her husband, pointing a gun to his head and demanding money as they came up the stairs.

(N.O.) also reported that the two males kept her and her husband on the main level. One of the suspects then went upstairs while the other suspect with a gun stayed on the main level with the victims. (N.O.) was instructed to look away from the suspect, face a wall and was pushed several times when she looked toward the suspect. (N.O.) said that she heard her husband (O.O.) have a disagreement with the suspect with the gun and that suspect may have struck him. At least one of the suspects repeatedly stated that he was aware that they had cash in the house and that she owned a business. (N.O.) explained that she co-owned two Asian markets and she came home with approximately \$50,000 in cash. While the suspects were looking for the cash (N.O.) believed that her husband began to have a heart attack. (O.O) was having difficulty breathing and was unsteady on his feet. (O.O.) was reported to have heart bypass surgery 4-5 years earlier. One of the suspect gave water bottles to (N.O.) and (O.O.) as (O.O.) was feeling poorly.

After finding the cash that (N.O.) brought home and placed in a backpack, the two suspects assisted in bringing up (O.O.) from the main level of the house to one of the upstairs bedrooms. (N.O.) also was instructed to stay in the bedroom with (O.O), she was told to face the wall and wait 20 minutes before she could move. (N.O.) waited approximately 10 minutes and found her husband unresponsive. (N.O.) then called 911. The responding officers found (O.O.) unresponsive and life saving measures failed to revive (O.O.) and he was pronounced dead at the scene by Hennepin County Medical Center Paramedics. Your affiant observed the scene at the residence and it appears to be consistent with the

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residence being ransacked by suspects. The deceased victim (O.O.) did not appear to have any obvious trauma or blood loss that would assist with identifying the cause of his death.

In the driveway of the residence was a dumpster containing construction debris. The master bedroom of the house and the second bathroom upstairs appeared to be under construction.

This search warrant is made pursuant to: 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), 2703(c)(1)(A) and 2703(c)(2) and there is probable cause to believe that the following record or other information pertaining to the business transactions of Google, 1600 Amphitheatre Parkway Mountain View, CA 94043 is relevant to a legitimate law enforcement inquiry and evidence of the crimes of robbery, burglary and homicide as defined in Minnesota statutes.

PROPERTY TO BE SEARCHED - This warrant is directed to Google LLC, which is headquartered at 1600 Google Amphitheatre Parkway, Mountain View, California, and applies to -

1. - GPS, WiFi or Bluetooth, and/or cell tower sourced location history data generated from devices that reported a location within the geographical region bounded by the following latitudinal and longitudinal coordinates, dates, and times listed below.
2. - For each location point recorded within the Initial Search Parameters, Google shall produce anonymized information specifying the corresponding unique device ID, timestamp, coordinates, display radius, and data source, if available (the "Anonymized List").

Date & Time Period of Target Location #1: 10/06/2018 1800hrs - 10/07/2018 0030 hrs

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Point 4: 44°52'20.78" N 93°27'17.69" W

Date & Time Period of Target Location #2: 10/06/2018 1200rs - 10/07/2018 2130 hrs**Target Location #2:**

Geographical area identified as a polygon defined by the following latitude/longitude coordinates and connected by straight lines:

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Point 2: 44°57'15.58" N 93°16'37.63" W

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Date & Time Period of Target Location #3: 10/06/2018 1200rs - 10/07/2018 2130 hrs

Geographical area identified as a polygon defined by the following latitude/longitude coordinates and connected by straight lines:

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The data being provided by the issuance of this warrant is anonymized. The information requested with this warrant is similar to that of a "tower dump" from a cell phone provider but is more restrictive in the sense that it is anonymous. Google is only providing "Device ID" information. There is no way for your affiant to identify the related user of the device with this information alone. Once the data has been received from Google, your affiant will process the data to identify any "Device ID(s)" that are related to the specific crime being investigated. Once these "Device ID(s)" are identified, your affiant will submit a new application for Search Warrant to articulate the probable cause related to the specific "Device ID(s)" that were discovered as related to the crime being investigated and further

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request additional information in reference to those "Device ID(s)." This additional information may include, owner/user identifiers, extended location history, and/or additional device identifiers.

(End of Page)

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I request a search warrant be issued, commanding Dan Peterson, a peace officer of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m. to search the above described premises for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: Dan Peterson
Eden Prairie Police Dept
Electronically Signed
10/08/2018 12:04 PM
Hennepin County, Minnesota

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STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

SEARCH WARRANT

TO: DAN PETERSON, A PEACE OFFICER OF THE STATE OF MINNESOTA.

WHEREAS, Dan Peterson has this day on oath made an application to this Court for a warrant to search the following described premises :

Google LLC, which is headquartered at 1600 Google Amphitheatre Parkway, Mountain View, California.

located in city or township of Eden Prairie, State of Minnesota for the following described property and thing(s):

1. **GPS, WiFi or Bluetooth, and/or cell tower sourced location history data generated from devices that reported a location within the geographical region bounded by the following latitudinal and longitudinal coordinates, dates, and times listed below.**
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WHEREAS, the application of Dan Peterson was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following ground(s):

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that the above-described property and thing(s) is or are at the above-described premises

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NOW, THEREFORE, you Dan Peterson, peace officer of the State of Minnesota, and any other authorized person, are hereby commanded to enter and search between the hours of 7 a.m. and 8 p.m., to search the above-described premises, for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

BY THE COURT

ISSUED ON: 08 October, 2018

Judicial Officer: Jay Quam

Judge of District Court

Electronically Signed

10/08/2018 12:14 PM

STATE OF MINNESOTA, COUNTY OF Hennepin

DISTRICT COURT

RECEIPT, INVENTORY AND RETURN

I, Dan Peterson, received the attached search warrant issued by the Honorable Judge Jay Quam, on 10/08/2018, and have executed it as follows:

Pursuant to the warrant, on 10/08/2018, at 12:34 o'clock pm, I searched the following described in the search warrant.

Premises Motor Vehicle Person

I have left a true and correct copy of the search warrant (with) (in) (at)

Google LERS - Google LLC, which is headquartered at 1600 Google Amphitheatre Parkway, Mountain View, California.

I took into custody the property and things listed below: (attach and identify addition sheets if necessary).

This warrant was submitted electronically to Google, LLC via their LERS submission portal. Google responses to legal demands typically take longer than ten days. Therefore, this warrant is being filed without having received the requested information. This warrant will be filed again once the information is returned.

Check the appropriate:

- I left a receipt for the property and things listed above with a copy of the warrant.
- None of the items set forth in the search warrant was found.
- I shall retain or deliver custody of said property as directed by court order.

"I declare under penalty of perjury that everything I have stated in this document is true and correct." Minn. Stat. 358.116.

Date: 10/15/2018

(Signature)

County: Hennepin

State: Minnesota